

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.32720 of 2017**

Arising Out of PS.Case No. -270 Year- 2016 Thana -KATIHAR COMPLAINT CASE District-  
KATIHAR

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Md. Sanauwar Alam @ Sanwar, Son of Late Tamijuddin, Resident of  
Village- Khikni Tola, P.S. Abadpur, District- Katihar.

.... .... Petitioner

Versus

1. The State of Bihar.  
2. Bibi Juli Khatoon, wife of Sanawar Alam, D/o Ziaul Haque, Resident of  
Chikni tola P.S. Abadpur, District- Katihar. At present resident of Village-  
Rasalpur, P.S. Balia Belone (Kadwa), District- Katihar.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Md. Musowir  
For the Opposite Party/s : Mr. Abhay Kumar - 1

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      20-07-2017                      Heard learned counsel for the petitioner, learned  
counsel for the complainant and learned counsel appearing on  
behalf of the State.

The petitioner is apprehending his arrest in connection  
with C.A. Case No.270 of 2016 for the offence instituted under  
Section 498-A of the Indian Penal Code and 4 of D.P. Act.

The allegation against the petitioner is of committing  
torture upon the victim due to non-fulfillment of the demand of  
dowry.

It has been submitted on behalf of the petitioner that the  
petitioner has got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

It has further been submitted on behalf of the parties that they are agreed to stay together. If the complainant goes to the house of the petitioner, the petitioner shall keep his wife with all respect and dignity.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with C.A. Case No.270 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Katihar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Amit/-

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